



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,150	12/07/1999	JOHN L. BEEZER	3797.84615	6044

28319 7590 03/09/2004

BANNER & WITCOFF LTD.,
ATTORNEYS FOR MICROSOFT
1001 G STREET, N.W.
ELEVENTH STREET
WASHINGTON, DC 20001-4597

EXAMINER

YUAN, ALMARI ROMERO

ART UNIT	PAPER NUMBER
----------	--------------

2176

DATE MAILED: 03/09/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

09/456,150

Applicant(s)

BEEZER ET AL.

Examiner

Almari Yuan

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination and Amendment filed on 12/17/03.
2. The objection of claims 4 and 6 based on minor informalities has been withdrawn as necessitated by amendment.
3. The rejection of claims 1-32 under 35 U.S.C. 112, first paragraph has been withdrawn as necessitated by amendment and based on Applicant's remarks in the Amendment filed on 12/17/03.
4. The rejection of claims 1-32 under 35 U.S.C. 112, second paragraph as being indefinite has been withdrawn as necessitated by amendment and based on Applicant's remarks in the Amendment filed on 12/17/03.
5. The rejection of claims 1-3, 7-8, 12-13, 15, 19, 23-24, 26, 28, and 32 under 35 U.S.C. 102(e) as being anticipated by Gartland has been withdrawn as necessitated by amendment.
6. The rejection of claims 1-2, 5-6, 12-14, 17-18, and 23-25 under 35 U.S.C. 102(e) as being anticipated by Sachs has been withdrawn as necessitated by amendment.
7. The rejection of claims 4, 16, and 27 under 35 U.S.C. 103(a) as being unpatentable over Gartland has been withdrawn as necessitated by amendment.
8. The rejection of Claims 9-11, 20-22, and 29-31 under 35 U.S.C. 103(a) as being unpatentable over Gartland in view of Microsoft Corporation has been withdrawn as necessitated by amendment.
9. Claims 1-32 are pending. Claims 1, 12, 23, and 32 are independent claims.

Art Unit: 2176

Continued Examination Under 37 CFR 1.114

10. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/17/03 has been entered.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 1-9, 11-20, 22-29, and 31-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Stoub (USPN 6,389,437 B2 – filed on 01/1998).**

Regarding independent claims 1 and 12, Stoub discloses:

An apparatus comprising: a processor; a display coupled to the processor; a user interface selection device coupled to the processor; and a storage device, coupled to the processor, comprising instructions, executable by the processor (on col. 1, line 13 and col. 5, lines 36-42 teaches a computer system), for performing steps of:

Art Unit: 2176

a) receiving user data, via the user interface selection device, specifying a value for at least one user-modifiable formatting variable of a plurality of formatting variables used to control format of a document for display (on col. 6, lines 1-13 and 21-27 teaches user-selected font such as Times New Roman (user-modifiable formatting variable); allowing user to selectively increase the size of the font (user-modifiable formatting variable) such as 12- or 14-point type or other desirable font size (value for user-modifiable formatting variable); col. 7, lines 11-15 teaches paragraph indent (formatting variable) and on col. 9, lines 26-42 teaches hyphenating words (formatting variable)) ; and

b) in response to step a) modifying at least a portion of the plurality of formatting variables, other than the variable specified in a), such that the modified variables are optimized for readability (on col. 3, lines 39-41 teaches allowing the user to modify font size to enhance readability of on-screen presentation of information (optimizing for readability); on col. 4, lines 31-39, col. 6, lines 38-48, and col. 7, lines 11-15 teaches automatically reformatting displayed material in response to a user change in size of displayed font; wherein the display page formatting can be configured to indent paragraphs, wrap words, and other word- processing commands (formatting variables)).

Regarding dependent claims 2, 3, 13, and 24, Stoub discloses:

formatting the document in accordance with the modified formatting variables; and providing the document for presentation on the display (on col. 4, lines 31-39, col. 6, lines 38-48, and col. 7, lines 11-15 teaches automatically reformatting displayed material in response to a user change in size of displayed font).

Regarding dependent claims 4 and 16, Stoub discloses:

Art Unit: 2176

wherein the value specified by the user data for any one of the at least one user-modifiable variable comprises any one of a predetermined set of variable values (on col. 6, lines 1-13 and 21-27 teaches selectively increase the size of the font (user-modifiable formatting variable) such as 12- or 14-point type or other desirable font size (value for user-modifiable formatting variable)).

Regarding dependent claims 5 and 17, Stoub discloses:

wherein the at least one user-modifiable formatting variable comprises a font reference variable (on col. 6, lines 1-13 and 21-27 teaches user-selected font such as Times New Roman).

Regarding dependent claims 6 and 18, Stoub discloses:

wherein the value specified by the user data for the font reference variable comprises either of a large font value and a small font value (on col. 4, lines 31-32 teaches selectively enlarge information printed in small fonts and on col. 6, lines 1-13 and 21-27 teaches allowing user to selectively increase the size of the font (user-modifiable formatting variable) such as 12- or 14-point type or other desirable font size (value for user-modifiable formatting variable)).

Regarding dependent claims 7 and 27, Stoub discloses:

wherein the at least one user-modifiable formatting variable comprises a display form factor variable (on col. 4, lines 31-39 teaches changing in size of displayed font).

Regarding dependent claims 8, 19, and 28, Stoub discloses:

wherein the plurality of formatting variables comprises any of a font size variable, a font face variable, a serif variable, a headings variable, a leading variable, a line length variable, a left margin variable, a right margin variable, a top margin variable, a bottom

Art Unit: 2176

margin variable, an indents variable, a hyphenation variable, a justification variable and a language variable (on col. 6, lines 1-13 teaches font size and font such as Times New Roman; on col. 7, lines 11-15 teaches paragraph indent; and on col. 9, lines 26-42 teaches hyphenating words).

Regarding dependent claims 9, 20, and 29, Stoub discloses:

wherein a value for the font size variable optimized for readability comprises any value within a range of 10 to 18 points (on col. 6, lines 1-13 teaches user-selected font size such as 12- or 14-point type or other desirable font size).

Regarding dependent claims 11, 22, and 31, Stoub discloses:

wherein a value for the leading variable optimized for readability comprises any value within a range of 10 to 20 percent (on col. 6, lines 21-27 teaches using up arrow button for increasing font size and using down arrow button for reducing font size).

Regarding dependent claims 14 and 25, Stoub discloses:

A handheld display device (on col. 3, lines 26-27 teaches laptop device and col. 5, lines 46-53 teaches any other type of monitor).

Regarding dependent claims 15 and 26, Stoub discloses:

A desktop display device (on col. 5, lines 46-53 teaches display window).

Regarding independent claim 23, Stoub discloses:

An apparatus comprising: a processor; a display coupled to the processor; and a storage device, coupled to the processor, (on col. 1, line 13 and col. 5, lines 36-42 teaches a computer system) comprising instructions, executable by the processor, for performing steps of:

Art Unit: 2176

a) receiving a value of a display form factor variable indicative of display characteristics of the display (on col. 6, lines 1-13 and 21-27 teaches user-selected font such as Times New Roman (user-modifiable formatting variable); allowing user to selectively increase the size of the font (user-modifiable formatting variable) such as 12- or 14-point type or other desirable font size (value for user-modifiable formatting variable)); and

b) in response to step a) modifying at least a portion of a plurality of formatting variables, other than the display form factor variable specified in a), such that the modified variables are optimized for readability (on col. 3, lines 39-41 teaches allowing the user to modify font size to enhance readability of on-screen presentation of information (optimizing for readability); on col. 4, lines 31-39, col. 6, lines 38-48, and col. 7, lines 11-15 teaches automatically reformatting displayed material in response to a user change in size of displayed font (factor); wherein the display page formatting can be configured to indent paragraphs, wrap words, and other word- processing commands (formatting variables)).

Regarding independent claim 32, Stoub discloses:

A computer-readable medium having stored thereon a data structure comprising:

a plurality of formatting variables for use in formatting a document for display via a computer-based display, the plurality of formatting variables comprising at least one user-modifiable formatting variable (on col. 6, lines 1-13 and 21-27 teaches user-selected font such as Times New Roman (user-modifiable formatting variable); allowing user to selectively increase the size of the font (user-modifiable formatting variable) such as 12- or 14-point type or other desirable font size (value for user-modifiable formatting

Art Unit: 2176

variable); col. 7, lines 11-15 teaches paragraph indent (formatting variable) and on col. 9, lines 26-42 teaches hyphenating words (formatting variable)); and

optimized formatting values corresponding to at least a portion of the plurality of formatting variables, wherein the portion of the plurality of formatting variables is modified, other than the at least one user-modifiable formatting variable based on user specified data for the at least one user modifiable, such that the modified variables are optimized for readability (on col. 3, lines 39-41 teaches allowing the user to modify font size to enhance readability of on-screen presentation of information (optimizing for readability); on col. 4, lines 31-39, col. 6, lines 38-48, and col. 7, lines 11-15 teaches automatically reformatting displayed material in response to a user change in size of displayed font; wherein the display page formatting can be configured to indent paragraphs, wrap words, and other word- processing commands (formatting variables))

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. **Claims 10, 21, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoub, as applied to claims 1-9, 11-20, 22-29, and 31-32, in view of Chang et al. (USPN 6,584,479 B2 – filed on 06/1998).**

Regarding dependent claims 10, 21, and 30, Stoub discloses the invention substantially as claimed as described *supra*. Stoub on col. 6, lines 1-13 teaches user-selected font

Art Unit: 2176

Times New Roman. However, Stoub does not explicitly disclose “wherein the font face is either sans serif font or a serif font”.

Chang does disclose “sans serif font or a serif font” on col. 15, lines 44-47 and line 63 and col. 16, lines 35-40 teaches the font can be serif, sans-serif, Times, Helvetical, etc; col. 1, lines 38-40 teaches reformatting screen displayed pages of text and graphics; and col. 2, lines 30-35 teaches enhance presentation data.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Chang into Stoub to provide fonts such as serif and sans-serif, as taught by Chang, incorporated into the user-selectable font such as Times New Roman, as taught by Stoub, in order to allow the reformatting of displayed text and enhance presentation of the text.

Response to Arguments

15. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2176

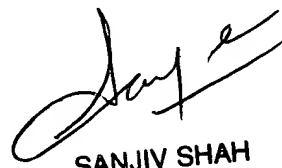
Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 703-305-5945. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
March 4, 2004


SANJIV SHAH
PRIMARY EXAMINER